



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Jay Castle, Treasurer  
Dave Wu for Congress  
818 SW 3<sup>rd</sup> Street, #1182  
Portland, OR 97205

DEC 19 2000

Identification Number: C00329292

Reference: July Quarterly Report (4/27/00-6/30/00)

Dear Mr. Castle:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Your report includes a loan owed to Merrill Lynch with a due date of 9/24/97. Please clarify the current status of this loan and disclose the current terms and conditions if the loan was renegotiated. Note that an overdue loan may be considered a prohibited contribution by the bank or lending institution. (11 CFR §100.7(b)(11))

-Schedule A of your report discloses earmarked contributions through a conduit. Please be reminded that when a committee receives an earmarked contribution(s) through an allowable conduit, each individual contribution should be itemized when the individual's total contributions to your committee aggregate over \$200 per calendar year. This itemization must include the full name, address, occupation, and employer of the individual contributor along with the date the contribution was received by the conduit.

In addition, the total contribution(s) received through the conduit should be itemized on Schedule A as a memo entry. The conduit's full name and address (and occupation and employer if the conduit is an individual) must also be provided, along with the date the contribution(s) was transferred to your committee and the total amount of earmarked contributions received from the conduit. Any unitemized contributions received through the

conduit should be included in your totals on Line 11(a)(ii) of the Detailed Summary Page. Please refer to the FEC Campaign Guide for Congressional Candidates and Committees for further guidance on how to report earmarked contributions through a conduit. (11 CFR §110.6(c)(2))

-Schedule A of your report discloses contributions received after the Primary Election which are designated for the primary. These contributions may be accepted to the extent that the committee has net debts outstanding from the primary. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(b)(6))

If the contribution(s) accepted exceeds the amount of net debts outstanding from the primary election, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports

PAGE 3  
DAVE WU FOR CONGRESS

Analysis Division). My local number is (202) 694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Whyrick". The signature is fluid and cursive, with a large initial "C" and a distinct dot over the "y".

Christopher A. Whyrick  
Reports Analyst  
Reports Analysis Division

480

